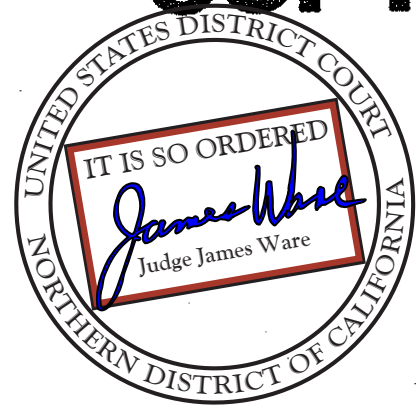


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**RECEIVED**

**APR 21 2008**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE**

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY LAMAR THOMAS,

Defendant.

No. CR-02-20082 JW

*[Signature]*  
[PROPOSED] ORDER RE ELIGIBILITY  
FOR SENTENCING MODIFICATION  
UNDER 18 U.S.C. §3582(c)(2)

Having read and considered the United States' Notice of Eligibility for Sentencing Modification Under 18 U.S.C. § 3582(c)(2) filed in this case, the Court finds the defendant Jeremy Lamar Thomas so eligible and on its own motion orders the parties and the United States Probation Office to indicate no later than May 2, 2008 their respective positions as to the propriety of a two-level reduction in the base offense level and total offense level and a consequent modification of the 108-month term of imprisonment originally imposed to a term of 87 months. If either party or the United States Probation Office objects to sentence modification

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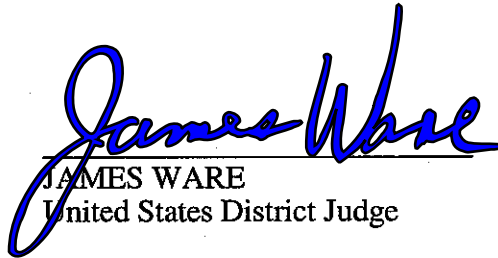
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1 or to the proposed extent of the modification, that party shall submit briefing in support of its  
2 position.

3 IT IS SO ORDERED.

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5 Dated: April 25, 2008

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8 JAMES WARE  
9 United States District Judge  
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